

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

EDWIN ROACH,

Plaintiff,

v.

7:05-CV-1413

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

APPEARANCES:

OF COUNSEL:

CONBOY, MCKAY LAW FIRM
307 State Street
Carthage, NY 13619
Attorney for Plaintiff

LAWRENCE D. HASSELER

SOCIAL SECURITY ADMINISTRATION
Office of Regional General Counsel
Region II
26 Federal Plaza - Room 3904
New York, NY 10278
Attorney for Defendant

VERNON NORWOOD, ESQ.
Special Asst. U.S. Attorney

NORMAN A. MORDUE, CHIEF JUDGE

ORDER

The above matter comes to me following a Report-Recommendation by Magistrate Judge Gustave J. DiBianco, duly filed on the 14th day of January 2008. Following ten days from the service thereof, the Clerk has sent me the file, including any and all objections filed by the parties herein.

After careful review of all of the papers herein, including the Magistrate Judge's Report-Recommendation, and no objections submitted thereto, it is

ORDERED, that:

1. The Report-Recommendation is hereby approved.
2. The Commissioner's decision denying disability benefits is affirmed and plaintiff's complaint is dismissed.
3. The Clerk of the Court shall serve a copy of this Order upon all parties and the Magistrate Judge assigned to this case.

IT IS SO ORDERED.

Dated: January 30, 2008
Syracuse, New York


Norman A. Mordue
Chief United States District Court Judge